

Hon. Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHIPYARD COMMERCE CENTER LLC,
an Oregon limited liability company, and
VIGOR MARINE LLC, an Oregon limited
liability company,

Plaintiffs,

vs.

PERFORMANCE ABATEMENT
SERVICES INC., a Kansas corporation, and
PERFORMANCE CONTRACTING INC., a
Kansas Corporation.

Defendants.

Case No. 2:22-cv-00577-RAJ

ORDER GRANTING DEFENDANTS'
UNOPPOSED MOTION TO REMAND

The following Order is made by direction of the Court, the Honorable Richard A. Jones,
United States District Judge:

1. Defendants' unopposed motion to remand, docket no.10, is GRANTED. The Court
does not have original jurisdiction over the underlying action as plaintiffs could not have filed their
complaint in federal court. *See* 28 U.S.C. § 1332. Because both Vigor Industrial, LLC (the sole

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1 member for plaintiffs) and defendant Performance Abatement Services, Inc. are citizens of
2 Delaware, the parties are not diverse. (Docket no. 10). Without diversity of citizenship, the Court
3 lacks jurisdiction over the underlying action.

4 2. This matter is REMANDED to the King County Superior Court, effective fourteen
5 (14) days from the date of this Order.

6 3. The Court declines to award any attorney fees or costs incurred as a result of the
7 removal of this action.

8 4. The Clerk is directed to send a copy of this Order to all counsel of record.

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10 DATED this 19th day of May, 2022.

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12 HON. RICHARD A. JONES
13 United States District Judge
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